IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

CSX TRANSPORTATION, INC.,

     Plaintiff,

v.   **Civil Action No. 2:18-cv-530-MSD-RJK**

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.***,**

     Defendants.

NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY'S
MOTION *IN LIMINE* #2 TO EXCLUDE EVIDENCE AND ARGUMENT
ABOUT CSXT'S PRIVATE SWITCHING RATES

Defendant Norfolk and Portsmouth Belt Line Railroad Company ("Belt Line"), by counsel,

pursuant to Fed. R. Evid. 402 and 403, moves to exclude all evidence and argument at trial of

switching rates privately negotiated by plaintiff CSX Transportation, Inc. ("CSXT"), as they are

not a proper basis for establishing anticompetitive pricing.

In support thereof, the Belt Line submits, the accompanying memorandum.

Dated: May 7, 2021   **NORFOLK AND PORTSMOUTH BELT LINE**
                               RAILROAD COMPANY

                             By: */s/ W. Ryan Snow*

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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May 2021, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Eastern District of Virginia, Norfolk Division, using the electronic case filing system of the court. The electronic case filing system will send a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

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